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January 28, 2020

VIA ECF

Honorable Robert W. Lehrburger
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Garcia v. Village Red Restaurant Corp. d/b/a Waverly Restaurant, et al.*
Nieto v. Village Red Restaurant Corp. d/b/a Waverly Restaurant, et al.
Nos. 15 Civ. 6292 (RWL), 17 Civ. 2037 (RWL)

Dear Judge Lehrburger:

We represent Plaintiffs in the above-referenced matters. The parties jointly submit this status letter regarding Defendant Nicholas Serafis's Chapter 7 bankruptcy and Village Red Restaurant Corp. Chapter 11 bankruptcy.

The individual bankruptcy of Defendant Nicholas Serafis has been dismissed without prejudice.

In accordance with the Plan of Liquidation for Village Red Restaurant Corp., Plaintiffs are awaiting the distribution of \$57,000 in sale proceeds that should be made in the next week. A Plan Administrator has been appointed in this action and is conducting discovery with respect to potentially improper transfers that were made by Debtor Village Red Restaurant Corp. to individuals and entities pre-petition and post-petition, including reviewing documents and most recently taking the deposition of Defendant Christine Serafis on January 28, 2020 and John Captan, manager of Waverly Restaurant, on January 24, 2020. Based on his review of documents and the depositions, the Plan Administrator will determine whether an action will be brought to recover the value of the improper transactions.

Respectfully submitted,

s/Vivianna Morales

Vivianna Morales

cc: All Counsel of Record (via ECF)
Lawrence Morrison (Bankruptcy Counsel for all Defendants) (via e-mail)